

**Pittsfield Town Employees, AFT Local #6214, AFT-NH, AFL-CIO v. Town of Pittsfield, Board of Selectmen**, Decision No. 2012-278 (Case No. G-0060-8).

**Background:** The Union filed an unfair labor practice complaint claiming in Count I that the Town violated RSA 273-A:5, I (e), (g), (h), & (i) when it unilaterally prohibited “scheduled” overtime and private details, changed the manner in which open shifts were filled, and changed the work schedule for employees of Ambulance and Police Departments. In Count II, the Union claimed that the Town violated RSA 273-A:5, I (a) when it issued a policy restraining bargaining unit employees’ communication with the public. The Town denied the charges and asserted that its actions were a proper exercise of management rights and that the issue involving employees’ free speech rights was moot because the Town rescinded its “communication policy.”

**Count I:** The Town committed an unfair labor practice, when contrary to the parties’ CBA, it unilaterally prohibited department heads from assigning open shifts to full time employees and directed that open shifts be assigned to part time/per diem employees first and when it unilaterally prohibited Police Department employees from working paid details.

**Count II:** The Town committed an unfair labor practice when it issued a policy prohibiting Town employees from communicating with the public and media without the BOS’ prior approval.

The evidence was insufficient to establish that the Town committed an unfair labor practice when it changed the work schedule of Police and Ambulance Department employees and so that particular claim was, therefore, dismissed.

*Disclaimer: This summary is intended to provide a brief description of the issues in this case and the outcome. The summary is not a substitute for the decision, should not be relied upon in place of the decision, and should not be cited as controlling or relevant authority in PELRB proceedings or other proceedings.*